

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 2, 2006 Signature: _____
(Orville R. Cockings)

Docket No.: REGIM 3.3-040
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mugnier et al.

Application No.: 10/511,565

Confirmation No.:

Filed: October 15, 2004

Art Unit: N/A

For: METHOD FOR PRODUCTION OF A
TUNABLE OPTICAL FIBER

Examiner: Not Yet Assigned

RESPONSE TO DECISION

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office's Decision mailed March 14, 2006 denying applicants' Petition Under 37 C.F.R. § 1.47(a), applicants submit herewith for filing in the above-captioned application a Declaration executed by co-inventor Rachelle Leroux.

In view of the foregoing, applicants respectfully withdraw their petition under 37 C.F.R. § 1.47(a) as Ms. Leroux has been found and has executed the enclosed Declaration. She has also assigned her rights in the invention to Highwave Optical Technologies. A copy of the Assignment is being filed concurrently herewith. Applicants respectfully submit that by filing the enclosed Declaration of Ms. Leroux, all the requirements for acceptance of the international application under 35 U.S.C. § 371 have been met. Therefore, applicants respectfully request examination of the application in the normal course.

RECEIVED

16 MAY 2006

Legal Staff
International Division

If the Office of PCT Legal Administration has any questions concerning this application, it is requested that applicant's attorney be contacted at (908) 654-5000. If any additional fees are required by the present response, the Office is hereby authorized to charge them to Deposit Account No. 12-1095.

Dated: May 2, 2006

Respectfully submitted,

By 

Orville R. Cockings
Registration No.: 42,424
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

653681_1.DOC